

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MARCUS L. WALKER,

CASE NO. 2:21-cv-12874

Plaintiff,

HON. DENISE PAGE HOOD
DISTRICT JUDGE

v.

DR. MARY GREINER, et al.,

HON. PATRICIA T. MORRIS
MAGISTRATE JUDGE

Defendants.

**ORDER GRANTING IN PART AND DENYING AS MOOT IN PART
PLAINTIFF’S MOTION TO SERVE COMPLAINT (ECF No. 48)**

This is a prisoner civil rights case under 42 U.S.C. § 1983. On December 2, 2021, Plaintiff Marcus L. Walker filed this *pro se* prisoner civil rights suit.

In Plaintiff’s motion, he asks that Henry Ford Allegiance Hospital (“HFAH”) in Jackson, Michigan provide the addresses of its Defendants Dr. Vivien Dorsey, Connie McCool, Kaelynn Pfeil and Connie Whipple (whom Plaintiff identifies as HFAH employees) “in order to effectuate service and give to the United States Marshal.” (ECF No. 48, PageID.315). Plaintiff also requests the MDOC to provide him with the last known address of Defendant Richard Russell. Because Defendant Russell has now been served, Plaintiff’s request for his last known address will be denied as **DENIED AS MOOT**.

As to Dr. Vivien Dorsey, Connie McCool, Kaelynn Pfeil and Connie Whipple (“HFAH Defendants”) the motion will be **GRANTED**. The Court is mindful that these individuals, identified in the Complaint as employees of HFAH, are not current or former MDOC employees and HFAH is a non-party to this suit. “This Court has never imposed an obligation on district courts to actively seek out the address of a defendant so that service can be effectuated. . . .” *Fitts v. Sicker*, 232 F. App’x. 436, 444 (6th Cir. 2007). “In a Section 1983 action, it is the inmate’s responsibility to provide the proper addresses of the defendants for service on these defendants. *Smith v. Hassunizadeh*, No. CV 2:22-11586, 2022 WL 3648178, at *2 (E.D. Mich. Aug. 24, 2022) (Edmunds, J.) (citing *Fitts* at 444).

Notwithstanding, Plaintiff’s ability to serve the HFAH Defendants is hampered by his *pro se* status and incarceration. In *Reilly v. Donnellon*, No. 19-11249, 2020 WL 6565246, at *1 (E.D. Mich. Nov. 9, 2020), Magistrate Judge Ivy directed the defendants’ employer to provide addresses for the purposes of service, reasoning that “[b]ecause Reilly is currently confined within the Michigan Department of Corrections, she is not in a position to obtain [the defendants’] home addresses to effectuate service of the summons and complaint [and] . . . LHMC likely has last-known addresses for these defendants.” *Id.* The court therefore directed “Lake Huron Medical Center to furnish the USMS with [their] last-known addresses.” *Id.* (capitalization omitted). For identical reasons, Plaintiff’s request

that HFAH provide home addresses for the HFAH Defendants to the United States Marshal Service (“USMS”) will be **GRANTED**.

The Court therefore **DIRECTS** Henry Ford Allegiance Hospital to provide the USMS the addresses of Dr. Vivien Dorsey, Connie McCool, Kaelynn Pfeil and Connie Whipple **within 21 days**.

The information must be emailed to: serviceofprocess@usdoj.gov. Upon receipt of the addresses of the HFAH Defendants, the USMS will attempt service of the summons and complaint. The information may be used only for purposes of effectuating service (or for proof of service, should a dispute arise), and any documentation of the address will be retained only by the USMS. Address information will not be maintained in the court file or disclosed by the U.S. Marshals Service except as directed by court order.

Review of this Order is governed by Fed. R. Civ. P. 72(a) and Local Rule 72.1(d).

Date: March 31, 2023

S/PATRICIA T. MORRIS

Patricia T. Morris

United States Magistrate Judge